

**AGREEMENT
BETWEEN CITY OF FRESNO AND COUNTY OF TULARE
(PUBLIC SAFETY INTEROPERABLE COMMUNICATION GRANT)**

This Agreement ("Agreement") is made and entered into this 13th day of March, 2012, by and between the City of Fresno, a California municipal corporation ("City"), and the County of Tulare, a political subdivision of the State of California ("Agency").

RECITALS

- A. City had received an award of \$5,431,433.30 in grant funds under the federal Homeland Security Public Safety Interoperable Communication Grant Program ("PSIC Program"), administered by the State Office of Homeland Security ("OHS"), pursuant to Grant No. 2007-GS-H7-0008 ("Grant"), incorporated herein by reference.
- B. City and Agency entered into an agreement wherein City agreed, through its police department, to disburse Public Safety Interoperable Communication Grant funds for Agency to undertake a project to be funded from the Grant funds in an amount not to exceed \$913,208, dated November 9, 2010, Tulare County Agreement No. 24781 (hereinafter referred to as "2010 Agreement"); and
- C. Prior to completion of the project, the 2010 Agreement expired on June 30, 2011.
- D. Grant No. 2007-GS-H7-0008, referenced in the 2010 Agreement, was extended to and will terminate on June 30, 2012.
- E. The parties desire to reenact the 2010 Agreement and extend it for the sole purpose of completing the project and increasing the total maximum amount of Grant funds that may be disbursed to Agency.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and of the covenants, conditions, and premises hereinafter contained to be kept and performed by the respective parties, it is mutually agreed as follows:

Section 1. All terms and conditions of the 2010 Agreement and all referenced exhibits therein are hereby incorporated by reference herein as if fully set forth herein, except for each of the following: (i) the amount of \$913,208 set forth in Recital C and Sections 1 and 2 of the 2010 Agreement, and (ii) Section 3(a) of the 2010 Agreement.

Section 2. The amount of \$913,208 set forth in Recital C and Sections 1 and 2 of the 2010 Agreement is increased to \$982,763 for purposes of the total maximum amount of the Grant funds available for the "Project" described in the 2010 Agreement.

Section 3. The term of this Agreement shall begin November 9, 2010 and end June 30, 2012 unless extended by mutual written agreement of the parties or terminated as provided herein.


Section 4. This Agreement hereby supersedes the 2010 Agreement in its entirety.

IN WITNESS WHEREOF, the parties have executed this Agreement at Fresno, California, the day and year first above written.

CITY OF FRESNO,
a California municipal corporation

COUNTY OF TULARE,
a political subdivision of the State of
California

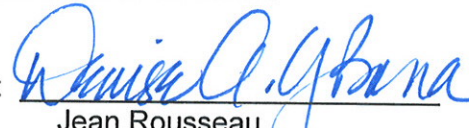
By: 
Jerry P. Dyer, Chief of Police
Fresno Police Department

By: 
Allen Ishida, Chairman
Board of Supervisors, County of
Tulare

ATTEST:
YVONNE SPENCE, CMC
City Clerk

ATTEST:
Jean Rousseau
Chief Clerk of the Board

By: Cindy Buer 4/9/12
Deputy Date

By: 
Jean Rousseau

APPROVED AS TO FORM:
JAMES C. SANCHEZ
City Attorney

APPROVED AS TO LEGAL FORM:
Kathleen Bales-Lange
County Counsel

By: 
Nancy A. Algier Date
Senior Deputy

By:  SEN 205307 FOR
Kathleen Bales-Lange 20,2494
3/27/2012

REVIEWED & RECOMMENDED FOR
APPROVAL:

By: 
Peg Yeates, IT Director

Addresses:

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City of Fresno
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